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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/8/2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,7-9, 11-20,22-26,28-31,33-36 and 38-45* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5,7-9, 11-20,22-26,28-31,33-36 and 38-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Status of the Claims

1.   The following **FINAL** Office Action is in response to Applicant's submission received 07/10/2009.

2.   Claims 1, 3, 4, 7, 9, 11 – 18, 20, 26, 31, 36, 41 and 42 – 45 were amended. No claims were added nor canceled.

3.   Claims 1, 3-5, 7-9, 11-20, 22-26, 28-31, 33-36, and 38-45 are pending.

Response to Amendment

4.   Applicant's amendments received on July 10, 2009 are herein acknowledged and entered. The newly added limitations are addressed in the § 103 rejection below, necessitated by these amendments. In response to Applicant's amendments the Examiner has withdrawn the previous rejection under § 103 and entered a new rejection under § 103. Further, the Examiner has withdrawn the rejection under § 101 and § 112.

Response to Arguments

5.   Applicant's arguments received on July 10, 2009 have been fully considered, but are moot in view of the new grounds of rejection. However, in an effort to advance prosecution, the Examiner has provided a riposte to Argument's that

were directed to rejections under § 112 and art applied in the previous office action.

Applicant argues the following:

- The Official Notice is not admitted prior art.

- The rejection under § 101 has been overcome

- The Rejection § 112 should be withdrawn

In response to Applicant's argument, the Officially Noted facts are not admitted prior art, the Examiner respectfully disagrees. The Examiner would like to note the requirements for traversing official notice from MPEP § 2144.03:

> To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard, 139 F.2d at 713, 60 USPQ at 241* ("[I]n the absence of any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention."). A general allegation that the claims define a patentable invention without any reference to the examiner's assertion of official notice would be inadequate. If applicant adequately traverses the examiner's assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained. See 37 CFR 1.104(c)(2). See also *Zurko, 258 F.3d at 1386, 59 USPQ2d at 1697* ("[T]he Board [or examiner] must point to some concrete evidence in the record in support of these findings" to satisfy the substantial evidence test). If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2). If applicant does not traverse the examiner's assertion of official notice or applicant's traverse is not adequate, the examiner should clearly indicate in the next Office action that the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was inadequate. If the traverse was inadequate, the examiner should include an explanation as to why it was inadequate. (MPEP § 2144.03(C))

To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111 (b).

If applicant does not traverse the examiner's assertion of official notice or applicant's traverse is not adequate, the examiner should clearly indicate in the next Office action that the common knowledge or well-known in the art statement is taken to be admitted prior art because applicant either failed to traverse the examiner's assertion of official notice or that the traverse was inadequate [emphasis added].

Because Applicant has not <u>specifically pointed out any errors</u> in the Examiner's action, the officially noticed facts are deemed admitted prior art. However, as a courtesy to Applicant, the Examiner has also noted where support for the officially noted facts may be found in Charisius et al., US 2002/0104071, which has been applied as prior art in the instant office action.

In response to Applicant's argument, the rejection under § 101 has been overcome, the Examiner respectfully agrees. Therefore, the previous rejection under § 101 is herein withdrawn.

In response to Applicant's argument, the Rejection § 112 should be withdrawn the Examiner respectfully agrees. Therefore, the rejection under § 112 is herein withdrawn.

Claim Rejections - 35 USC § 103

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7.   Claims 1, 3-5, 7-9, 11-20, 22-26, 28-31, 33-36, and 38-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juan Sanchez Diaz et al., "From User Requirements to User Interfaces: A Methodological Approach," 13th Int. Conf., CAiSE 2001, in 2068 Lecture Notes in Comp. Sci. 60 (K.R. Dittirch, et al. eds., Springer June 4-8, 2001) (hereinafter Diaz), in view of Charisius et al., US 2002/0104071, (hereinafter Charisius).

Claim 1

Diaz discloses a method implemented in a computer system comprising:

- *identifying a business process* (see Fig. 1 & Fig. 3 and associated text; noting the business process "order entry system". Further, Diaz provides an overview of the paper, which is directed towards software engineering and generating user interfaces for a business process.);

- *identifying an application product, wherein the application product pertains to the business process* (*Id.* Further, see Fig. 5 and associated text; noting the application for MSC New Order defines a workflow for the business process, event handling, object relationships, condition semantics and allows a graphic representation of the case. Further, see Diaz at 69; noting "a view model is

obtained by generating a form that contains a set of forms that can be called up directly form the application menu.");

- *associating a business process model with a plurality of views, wherein each of the plurality of views comprises an electronic image representing one of a plurality of user interfaces defined by the application product* (*Id.* Noting "[t]he specification is formed by a group of state transition diagrams that describe the system behavior. One diagram for each user interface object and another for each control object that appears in a selected MSC are generated." Further noting, user interfaces are generated based on the input(s) and output(s) of the business process selected as defined by the underlying application *inter alia* "If A (New Order" is one case that uses case B (Search Customer), then there is a button placed in the form associated with A which allows navigation towards the form associated with B.");

- *the business process model pertains to the application product* (*Id.*);

- *the application product is configured to present the plurality of views, and the plurality of views illustrates realization of the business process within the application product* (*Id.* Noting, "[o]ne diagram for each user interface object and another for each control object that appears in a selected MSC are generated". Further, see Fig. 5 and associated text; noting the modeled (i.e. realized) business process wherein subsequent views illustrate further detailed views related to increased levels of granularity for the modeled process.);

Diaz does not explicitly disclose, however in analogous art Charisius teaches:

- *simultaneously displaying the business process model and the plurality of views*
  within a single user interface displayed on an electronic display of the computer
  system (see FIG 13 and associated text; noting the process model view,
  underlying code, root directory and a plurality of options for editing/changing the
  view are simultaneously provided on within a user interface of an exemplary
  computer.).

It would have been obvious to a person having ordinary skill in the art, at the time
of the invention, to combine the method implemented in a computer system taught by
Diaz with the step of simultaneously providing a single user interface on an electronic
display of a computer system taught by Charisius because the claimed invention is
merely a combination of old elements, and in the combination each element merely
would have performed the same function as it did separately, and one of ordinary skill in
the art would have recognized that the results of the combination were predictable.

Claim 3

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *further comprising creating, using the processor, the business process model for*
  the application product using data from an external file (see Table 1 and
  associated text; noting the model uses this data for defining the application
  product, the table being an external file. Diaz does not explicitly recite that an
  external file is received via a processor, however, in analogous art Charisius
  does(see Fig 6 and associated text; noting the processor is linked to the internal

and external databases. Further see FIG 21 and associated text; noting the external source code file is obtained from a remote (i.e. external) source.)).

It would have been obvious to a person having ordinary skill in the art, at the time of the invention, to combine the method implemented in a computer system taught by Diaz/Charisius with the step of obtaining data from an external file via a processor taught by Charisius because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claim 4

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *wherein the business process model is created in a modeling language* (Diaz at 66; noting the use case model uses UML, a standard and well-known modeling language).

Claim 5

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *wherein the business process model comprises graphical representations of a plurality of activities within the business process* (*Id.* at **Claim 1**. Further, see Diaz Fig. 7 and associated text; noting the UI is graphical and is used to represent activities of the requirements).

Claim 7

- *wherein associating the business process model comprises creating the plurality of views corresponding to a plurality of user interfaces defined in the application product* (see Figs. 6 & 7 and accompanying text, noting that the interfaces specified in Fig. 6 are displayed in Fig. 7.);

- *storing an identifier of each of the plurality of views in a repository* (*Id.* Noting, that "code" and "labels" are stored in order to identify purpose and function. Further noting, each use case is "stored" in the "repository" according to its identifier e.g. "customer code", "customer name", etc.);

- *associating, using the processor, the identifier of each of the plurality of views with at least one of a plurality of activities represented in the business process model* (*Id.*);

  Diaz does not explicitly recite, however Charisius teaches:

- *wherein the repository is stored in a computer-readable storage medium of the computer system* (see ¶ 0118; noting "aspects of the present invention are described as being stored in memory, one skilled in the art will appreciate that these aspects can also be stored on or read from other types of computer-readable media, such as secondary storage devices, like hard disks, floppy disks or CD-ROM; a carrier wave from a network, such as Internet; or other forms of RAM or ROM*);*

- *wherein the identifier of the each of the plurality of views and the at least one of the plurality of activities are associated with one another in the repository* (see FIG 4 and associated text; noting "Name 410 and Assets 412, which are defined as attributes (strings 414), are contained in SCI members 506. Since these elements are in the same project, all are linked. The data structure 500 also identifies the language in which the source code is written").

It would have been obvious to a person having ordinary skill in the art, at the time of the invention, to combine the method implemented in a computer system taught by Diaz/Charisius with the computer-readable storage medium and linking activities within the repository taught by Charisius because the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claim 8

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *wherein the application product is a standard application product defined for a specific industry* (see Fig. 2 and associated text; noting payment is depicted (i.e. transactional industries such as retail, grocery, etc.). Further noting, other figures define other applications.).

Claims 9 and 11 recite limitations substantially similar to the claims above. Therefore, claims 9 and 11 are rejected for similar reasons.

Claims 12-14 and 17 Diaz fails to explicitly disclose deleting, adding, and replacing one of the plurality of views in response to a user request [note that the modifying of claim 17 would fall under 'replacing']. However, the Examiner previously took **Official Notice** that it is old and well known to edit things using standard cut, copy, paste, and delete. Editing is a known method for improving things by allowing flexibility in creating processes. The use of editing is predictable to one of ordinary skill in the art because everyone is familiar with its concepts. Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to apply standard editing practices to a process in order for that process to be modified when things change. Further, the Examiner notes that support for the Official Notice may be found in Charisius (see FIG 1 and associated text; noting updates, modifications, changes, etc. are updated and maintained in the repository. Further noting, attributes (i.e. requirements are maintained in the repository). Further, see ¶ 0035; noting the software development tool taught by Charisius allows the user to alter views to facilitate the development of applications by employing a plurality of graphical and textual displays simultaneously. Further, see FIGs 32-35 and associated text; noting ¶ 0179 "adding requested code"; ¶ 0137; "replacing string operations"; see ¶ 0220; noting "editor for viewing and modifying"; etc.).

Claim 15

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *receiving a user request to navigate to one of the plurality of views in the application product; determining a view identifier; and passing a command to the application product to trigger display of a user interface associated with the view identifier in execution mode* (see Fig. 7 and associated text; noting that the "search customer" view is provided upon request to view the prototype.).

Claim 16

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *creating a first set of business requirements using the business process model; and transferring the first set of business requirements to a business requirement database* (see e.g. Table 1 and associated text; noting a database storing business requirements).

Claim 18

Diaz/Charisius teaches the limitations above. Furthermore, Diaz discloses:

- *maintaining existing relationships between components of the business process model when creating the first set of business requirements* (see Fig. 5 and associated text; noting relationships are maintained according to the MSC.).

Claims 19, 20, 22 - 26, 28 - 31, 33 - 36, 38 - 45 recite limitation addressed in the claims above. Therefore claims 19, 20, 22 - 26, 28 - 31, 33 - 36, 38 - 45 are rejected for similar reasons.

Conclusion

The following references were not applied as prior art in the instant office action under § 102 or § 103, however they are considered relevant to the instant application.

- Fontana et al., US 6,167,564; discloses a system and method for developing and integrating business process applications.

- Sheard et al., US 6,208,345; discloses a system and method for building and integrating workflows using a plurality of graphical representations of business and system components.

- Bowman-Amuah, US 6,256,773, US 6,289,382, US 6,601,234; discloses a plurality of systems and methods for versioning software applications; including providing a plurality of interfaces for object oriented development.

- Dong et al., US 2002/0104071; discloses a method and system for converting application languages for integrating business applications.

- Charisius et al., US 2002/0016954; discloses a software development tool that allows developers to model processes using graphical and semantic arguments concurrently.

- Chong et al., US 2002/0184610; discloses a visual development tool for integrating and modeling multi-modal applications.

- Kern et al., US 2002/0188597; discloses a methods and systems for building and versioning workflows.

- Caswell et al., US 6,662,355; discloses systems and methods for business process modeling using BPA.

- Coad et al., US 6,931,625; discloses a tool for graphical software development using UML.

- Little et al., US 7,047,518; discloses a software development tool for designing and constructing software applications using UML object modeling.

- Benny et al., US 7,487,079; discloses an architecture for modeling IT systems using reusable IT solutions and integrating architectural components therein.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Brett Feeney** whose telephone number is **571.270.5484.** The Examiner can

normally be reached on Monday-Thursday, 7:30am-6:30pm. If attempts to reach the

examiner by telephone are unsuccessful, the Examiner's supervisor, **BRAD BAYAT**

can be reached at **571.272.6704**.

Information regarding the status of an application may be obtained from the

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Any response to this action should be mailed to:

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/BRETT FEENEY/

Examiner, Art Unit 3624

/Romain Jeanty/
Primary Examiner, Art Unit 3624
October 18, 2009